

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**JOSEPH FORSYTHE,**

**Plaintiff,**

**v.**

**PA DEPARTMENT OF  
CORRECTIONS, et al.,**

**Defendants.**

**Case No. 1:20-CV-201**

**MEMORANDUM ORDER**

This action was received by the Clerk of Court on July 16, 2020 and was referred to United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

Defendants filed a motion to dismiss. ECF No. 22. Despite being given the opportunity to do so, Plaintiff did not file a brief in opposition to the pending motion.

On October 26, 2021, Magistrate Judge Lanzillo issued a Report and Recommendation recommending that the motion to dismiss be granted in part and denied in part. The Report and Recommendation advised that Objections could be filed by November 12, 2021, at the latest. ECF No. 26. As of today's date, no Objections have been filed by either party.

After *de novo* review of the complaint and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 23rd day of November 2021;

IT IS ORDERED that the motion to dismiss filed by Defendants is granted in part and denied in part. Defendants' motion is granted as to Plaintiff's requests for injunctive relief and his RLUIPA claim. Defendants' motion is denied as to Plaintiff's First and Fourteenth Amendment punitive damages claims.

AND, IT IS FURTHER ORDERED that the report and recommendation of Magistrate Judge Lanzillo, issued on October 26, 2021 [ECF No. 26] is adopted as the opinion of the court.

/s/ Susan Paradise Baxter  
SUSAN PARADISE BAXTER  
United States District Judge